

Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Transcontinental Gas Pipe Line Corporation
Facility Name:	Transcontinental Gas Pipe Line Corporation Compressor Station 185
Facility Location:	10201 Balls Ford Road Manassas, Prince William County, Virginia 20109
Registration Number:	71958
Permit Number:	NVRO-71958

Effective Date

Expiration Date

Robert G. Burnley
Director, Department of Environmental Quality

Signature Date

Table of Contents, 2 pages
Permit Conditions, 23 pages

Table of Contents

I. FACILITY INFORMATION	3
II. EMISSION UNITS.....	4
III. COMPRESSOR ENGINE REQUIREMENTS.....	6
A. LIMITATIONS.....	6
B. MONITORING AND RECORDKEEPING	8
C. TESTING.....	9
D. REPORTING.....	10
IV. INSIGNIFICANT EMISSION UNITS	11
V. PERMIT SHIELD & INAPPLICABLE REQUIREMENTS.....	11
VI. GENERAL CONDITIONS.....	13
A. FEDERAL ENFORCEABILITY	13
B. PERMIT EXPIRATION	13
C. RECORDKEEPING AND REPORTING.....	14
D. ANNUAL COMPLIANCE CERTIFICATION	15
E. PERMIT DEVIATION REPORTING.....	16
F. FAILURE/MALFUNCTION REPORTING	16
G. SEVERABILITY	17
H. DUTY TO COMPLY	17
I. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE.....	17
J. PERMIT ACTION FOR CAUSE	17
K. PROPERTY RIGHTS.....	18
L. DUTY TO SUBMIT INFORMATION.....	18
M. DUTY TO PAY PERMIT FEES.....	19
N. FUGITIVE DUST EMISSION STANDARDS.....	19
O. STARTUP, SHUTDOWN, AND MALFUNCTION	19
P. ALTERNATIVE OPERATING SCENARIOS.....	20
Q. INSPECTION AND ENTRY REQUIREMENTS.....	20
R. REOPENING FOR CAUSE	20
S. PERMIT AVAILABILITY	21
T. TRANSFER OF PERMITS.....	21
V. PERMIT REVOCATION OR TERMINATION FOR CAUSE	22
W. DUTY TO SUPPLEMENT OR CORRECT APPLICATION.....	22
X. STRATOSPHERIC OZONE PROTECTION.....	23
Y. ACCIDENTAL RELEASE PREVENTION	23
Z. CHANGES TO PERMITS FOR EMISSIONS TRADING.....	23
AA. EMISSIONS TRADING	23
BB. FUTURE APPLICABLE REQUIREMENTS.....	23

I. Facility Information

Permittee

Transcontinental Gas Pipe Line Corporation
P. O. Box 1396
Houston, Texas 77251-1396

Responsible Official

Robert S. Bahnick
Vice President-Operations

Facility

Transcontinental Gas Pipe Line Corporation
Compressor Station 185
10201 Balls Ford Road
Manassas, Prince William County, Virginia 20109

Contact Person

Michael Callegari
Environmental Specialist
(713) 215-4584

AIRS Identification Number: 51-065-0016

Facility Description: SIC Code: 4922 – Natural Gas Transmission

Transco is an interstate natural gas transmission company. Transco's 1,900-mile pipeline system transports natural gas from areas in the Gulf Coast region to customers in the northeast. Transco's compressor stations are used to compress and move the gas along the system. Gas compression at this facility is made possible through the operation of ten Ingersoll-Rand natural gas-fired internal combustion engines and their associated compressors.

The facility is a Title V major source of NO_x and CO. The source is located in an ozone nonattainment area; therefore, the potential to emit for VOC is greater than the major source threshold, therefore, the source is also a major for VOC emissions. The facility is an existing source, and is a major source based on its potential to emit.

II. Emission Units

Equipment to be operated consists of:

Emission Unit	Stack ID	Emission Unit Description	Size/Rated Capacity	Combustion Technology	Pollution Control Device	Pollutant Controlled	Applicable Permit Date
M/L 1	01	Ingersoll-Rand 412-KVS DT Series Internal Combustion Reciprocating Engine (compressors)	2000 hp	High Pressure Fuel Injection (HPFi) for NOx Reduction	Catalytic Oxidation for CO reduction	Nitrogen Oxides (NOx) and Volatile Organic Compounds (VOC) controlled by HPFi, Carbon Monoxide (CO) Controlled by Catalytic Oxidation	Consent Order September 9, 1996, and June 6, 2002 (revised compliance schedule); April 10, 2001 NSR Permit
M/L 2	02	Ingersoll-Rand 412-KVS DT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi	Catalytic Oxidation	NOx CO & VOC	"
M/L 3	03	Ingersoll-Rand 412-KVS DT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi	Catalytic Oxidation	NOx CO & VOC	"
M/L 4	04	Ingersoll-Rand 412-KVS DT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi	Catalytic Oxidation	NOx CO & VOC	"
M/L 5	05	Ingersoll-Rand 412-KVS DT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi	Catalytic Oxidation	NOx CO & VOC	"
M/L 6	06	Ingersoll-Rand 412-KVS FT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi		NOx	"
M/L 7	07	Ingersoll-Rand 412-KVS FT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi		NOx	"

M/L 8	08	Ingersoll-Rand 412-KVS FT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi		NOx	"
M/L 9	09	Ingersoll-Rand 412-KVS FT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi		NOx	"
M/L 10	10	Ingersoll-Rand 412-KVS FT Series Internal Combustion Reciprocating Engine	2000 hp	HPFi		NOx	"
A/C 1	11	Caterpillar G3306	203 hp			NO _x	April 10, 2001 NSR Permit

The Size/Rated Capacity is provided for informational purposes only. It is not an applicable requirement.

III. Compressor Engine Requirements

A. Limitations

1. Emissions from the operation of each natural gas fired compressor engine shall not exceed the limits specified below:

	<u>Single Engine</u>		<u>Total 10 Engines</u>
Nitrogen Oxides (as NO _x)	17.6 lbs./hr.	77.08 tons/yr.	771 tons/yr.
Carbon Monoxide (CO)	4.2 lbs./hr.	18.4 tons/yr.	184 tons/yr
Volatile Organic Compounds (VOC)	1.7 lbs./hr.	7.45 tons/yr.	74.5 tons/yr

These emission limits are based on exhaust conditions of 11.4 % O₂, 770 °F, and 9.5% H₂O.

(9 VAC 5-50-260, 9 VAC 5-50-180 and Condition 11 of the April 10, 2001 NSR Permit)

2. Visible emissions from the gas-fired compressor engines shall not exceed twenty percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty percent opacity as determined by the United States Environmental Protection Agency (EPA) Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-260, and Condition 12 of the April 10, 2001 NSR Permit)

3. The Caterpillar Model G3306 203 horsepower air compressor is restricted to the fuel limitation listed below. Usage shall be calculated monthly as the sum of the previous consecutive twelve months usage.

Natural Gas: Maximum twelve month Usage: 9.03×10^6 cubic feet
(9 VAC 5-80-10 and 9 VAC 5-50-50 and Condition 9 of the April 10, 2001 NSR Permit)

4. Emissions from the operation of the Caterpillar Model G-3306 203 horsepower air compressor shall not exceed the limits specified below:

Nitrogen Oxides	5.0 lbs./hr.	13.2 tons/yr.
Carbon Monoxide	5.8 lbs./hr.	15.5 tons/yr.

These emissions are based upon the average of three, one-hour test runs. Annual emissions shall be calculated as the sum of each consecutive twelve-month period. Exceedance of the operating limits shall be considered credible evidence of exceedance of emission limits. These emissions are derived from the estimated overall emission contribution from operating limits and emission factors supplied by the permittee. Compliance with these emission limits shall be determined by the Virginia Department of Environmental Quality (DEQ) approved emission factors and fuel throughput limits as stated in this condition.

(9 VAC 5-50-260, 9 VAC 5-50-180 and Condition 10 of the April 10, 2001 NSR Permit)

5. The two gas fired Caterpillar G-3508 emergency electric generators shall not operate more than 500 hours per year.
(9 VAC 5-80-110, and Condition 7 of the April 10, 2001 NSR Permit)
6. The approved fuel for all emission units is pipeline quality natural gas. A change in fuel may require a permit to modify and operate.
(9 VAC 5-80-110, and Condition 5 of the April 10, 2001 NSR Permit)

B. Monitoring and Recordkeeping

1. As a component of the periodic monitoring plan, the permittee shall determine the concentration of nitrogen oxides, CO, VOC and oxygen (O₂) from the exhaust stream from each of the ten internal combustion compressor engines, once per permit period beginning with the effective date of this permit. NO_x emissions shall represent the combined measured emissions of NO and NO₂, and shall be reported collectively as NO_x. Emissions shall be reported in appropriate units to demonstrate compliance with the emission limits established in Section III.A.1. The determination shall be conducted using test methods and procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office. The details of the tests are to be agreed upon with the Air Compliance Manager of the Northern Virginia Regional Office.
(9 VAC 5-80-110E)
2. As determined in accordance with condition III.B.1, if the measured emission rate of NO_x, VOC, or CO exceeds the emission limit for the respective pollutant, the permittee shall:
 - a. Verify that the internal combustion compressor engine(s) (Reference # M/L1 – M/L10) are operating according to the manufacturer's specifications, or other predetermined site-specific acceptable operating conditions. If an internal combustion compressor is not operating properly, the permittee shall take corrective action immediately to reduce emissions to or below the emission standard. The permittee shall document pollutant emission rates within one week of applying corrective action to an internal combustion compressor by measuring the concentration of pollutant(s) in the exhaust gases. The measurement shall be conducted in accordance with procedures in either Condition III.B.5 of this permit, or other procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office.
 - b. If the corrective action in Condition III.B.2.a above does not rectify the emission excursion, the permittee shall conduct a compliance test for the specific pollutant(s) of concern within thirty days of completing the corrective action on the internal combustion compressor(s). The compliance testing shall be conducted in accordance with approved EPA reference methods as presented in Condition III.C.5 of this permit, or other procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office.
(9 VAC 5-80-110 E)
3. The permittee shall maintain records of the required internal combustion compressors, and air compressor operator training including a statement of time, place and nature provided. In addition, the permittee shall maintain records of scheduled and unscheduled maintenance on the internal combustion compressors and air compressor. These records shall be kept on site for a period of five years, and shall be made available for inspection by the DEQ upon request.
(9 VAC 5-80-110)

4. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be agreed upon with the Air Compliance Manager, Northern Virginia Regional Office. These records shall include, but are not limited to:
 - a. The yearly throughput of natural gas consumed by the air compressor, calculated monthly as the sum of previous consecutive twelve-month period.
 - b. The number of hours of operation of each natural gas fired engine.
 - c. Monthly records that include the monthly and annual consumption of natural gas fuel, in cubic feet, for each compressor unit. The annual throughput shall be calculated as the sum of each consecutive twelve-month period.
 - d. Scheduled and unscheduled maintenance, and operator training.
 - e. All stack tests, visible evaluations and performance evaluations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-50-50 and Condition 16 of the April 10, 2001 NSR Permit)

5. As a component of the periodic monitoring plan, the permittee shall determine the concentration of nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), and oxygen (O_2) in the exhaust stream from the internal combustion compressor engines, once every six-month period beginning with the effective date of this permit. If the internal combustion engines are not operating during the six-month periodic monitoring, the permittee must return within three months to complete the monitoring on the internal combustion compressor engines that were not operating during the previous periodic monitoring. Operating conditions of the internal combustion compressor engines shall be documented during the monitoring. NO_x emissions shall represent the combined measured emissions of NO and NO_2 , and shall be reported collectively as NO_x . NO_x , VOC and CO emissions shall be reported in appropriate units to demonstrate compliance with the emission limits established in Section III.A.1. The testing shall be conducted using test methods and procedures approved in advance by the DEQ. The details of the tests are to be agreed upon with the Air Compliance Manager, Northern Virginia Regional Office.

(9 VAC 5-80-110 E)

C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request by the DEQ, test ports shall be provided at the appropriate locations.

(9 VAC 5-40-30, 9 VAC 5-80-110, and Condition 6 of the April 10, 2001 NSR Permit)

2. Upon request by the DEQ, the permittee shall conduct performance tests for nitrogen oxides from the air compressor and the ten gas compressor engines to demonstrate compliance with the emission limits contained in this permit. The details of the tests shall be agreed upon with the Air Compliance Manager, Northern Virginia Regional Office.
(9 VAC 5-50-30 G, 9 VAC 5-80-110, and Condition 14 of the April 10, 2001 Permit)
3. Upon request by the DEQ the permittee shall conduct visible emission evaluations from the air compressor engine and the ten gas compressor engines to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be agreed upon with the Air Compliance Manager, Northern Virginia Regional Office.
(9 VAC 5-50-30 G, 9 VAC 5-80-110, and Condition 15 of the April 10, 2001 NSR Permit)
4. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant/Parameter	Test Method
NO _x	(40 CFR Part 60, Appendix A) EPA Method 7, 7E
CO	EPA Method 10
VOC	EPA Methods 18, 25, 25a
Visible Emission	EPA Method 9
O ₂	EPA Method 3a
Stack Flow	EPA Method 19

Alternate test methods may be used if they are arranged with, and approved by the Air Compliance Manager, Northern Virginia Regional Office at least thirty days prior to the test.

(9 VAC 5-80-110 E)

D. Reporting

1. Reporting of emission excursions above an applicable emission standard shall be conducted in accordance with the permit deviation reporting procedures in Condition VII.E. The report shall be submitted by March 1st and September 1st of each year to coincide with or be incorporated into the semi annual reporting requirements in Condition VII.C.3. In addition, two copies of the test results from any compliance testing performed as a result of an emission excursion shall be provided to the Air Compliance Manager, Northern Virginia Regional Office of the DEQ within thirty days of conducting the test.
(9 VAC 5-80-110 F)
2. The general requirements and procedures set forth in Section VII, Condition C through F of this permit shall be followed with respect to reporting requirements for the internal reciprocating engines, and air compressor engine. The report shall be

submitted by March 1st and September 1st of each year to coincide with or be incorporated into the semi annual reporting requirements in Condition VII.C.3.
(9 VAC 5-80-110 F)

IV. INSIGNIFICANT EMISSION UNITS

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C)
IA1	Caterpillar G-3508 emergency electric generator, natural gas-fired	9 VAC 5-80-720 C.	N/A	534 hp
IA2	Caterpillar G-3508 emergency electric generator, natural gas-fired	9 VAC 5-80-720 C.	N/A	534 hp
IA5	Burnham 3L-125-G-GP Natural Gas Fired Boiler/Space Heater	9 VAC 5-80-720 C.	N/A	5.23 MMBtu/hr.

There are miscellaneous small tanks and sumps that are insignificant because of size or production level. These emission units are presumed to be in compliance with all requirements of the Federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Parts Washer identified as IA20 is an insignificant emission unit according to 9 VAC 5-80-720 B, but 9 VAC 5-40-3260 is applicable.

V. PERMIT SHIELD & INAPPLICABLE REQUIREMENTS

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR Part 63 Subpart HH	National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Oil and Natural Gas Production	Applies to facilities that process, upgrade, or store (1) hydrocarbon liquids and (2) natural gas from the well up to and including the natural gas processing plant. Station 185 is a transmission facility, therefore, is not subject to the requirements of the subpart.
40 CFR Part 63, Subpart HHH	National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Natural Gas Transmission and Storage	Applies to facilities that process, upgrade, transport or store natural gas prior to delivery to a local distribution company, or final end user. The owner or operator of a major source of HAP must reduce HAP emissions from glycol dehydration units. Station 185 does not contain any glycol dehydration units, and is not subject to the requirements of this subpart.
40 CFR Part 68	Chemical Accident Prevention Provisions	Applies to stationary sources that have more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115. The definition of Stationary Source does not apply to transportation under the provision of the subpart.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

VI. GENERAL CONDITIONS

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The identification of the methods or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required under this permit. If necessary, the owner or operator shall also identify any other material information that must be included in the certification to comply with section 113(c) of the federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information.
4. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Condition VII.D.3 of this permit. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred.
5. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the DEQ, Northern Virginia Regional Office, within four daytime business hours, after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours, notify the Air Compliance Manager, Northern Virginia Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Air Compliance Manager, Northern Virginia Regional Office.

The emission units subject to the reporting and the procedure requirements of 9 VAC 5-40-50 C and the procedures of 9 VAC 5-50-50 C are listed below:

1. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the board for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:
 - a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B 6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;

- b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;
 - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
 - d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.
2. All emission units not subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C must make written reports within two weeks of the malfunction occurrence.

(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application. (9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Action for Cause

- 1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-110 G.4)

2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
 - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
 - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
 - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
 - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
 - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
 - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
 - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a (1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air

pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-40-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

- b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
- 3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.
 - 4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The board may suspend, under such conditions and for such period of time as the board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
(9 VAC 5-80-110 I)

BB. Future Applicable Requirements

In addition to the legally binding documents and regulations currently in effect, the permitted facility shall be subject to future applicable requirements. Unless otherwise determined in the future, future requirements already known to apply to this facility include, but are not limited to:

The National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (40 CFR Part 63, Subpart ZZZZ), and Industrial/Commercial/Institutional Boilers and Process Boilers (40 CFR Part 63, Subpart DDDDD).